



# House of Representatives

General Assembly

**File No. 620**

*January Session, 2013*

House Bill No. 5289

*House of Representatives, April 24, 2013*

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE TIMING OF CERTAIN SPECIAL MUNICIPAL ELECTIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 9-164 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (b) Upon the occurrence of a vacancy in a municipal office or upon  
5 the creation of a new office to be filled prior to the next regular  
6 election, a special municipal election may be convened either by the  
7 board of selectmen of the municipality or upon application of twenty  
8 electors of the municipality filed with the municipal clerk. The date of  
9 such election shall be determined by the board of selectmen of the  
10 municipality, and notice of such date shall be filed with the municipal  
11 clerk. In determining the date of such election, the board of selectmen  
12 shall allow the time specified for holding primaries for municipal  
13 office in section 9-423 and the time specified for the selection of party-

14 endorsed candidates for municipal office in section 9-391. On  
 15 application of twenty electors of the municipality, the date of such  
 16 election, as determined by the board of selectmen, shall be not later  
 17 than the one hundred fiftieth day following the filing of such  
 18 application, provided, if such date of such election is not more than  
 19 thirty days before a regular election is to be held in such municipality,  
 20 the Secretary of the State may combine such special municipal election  
 21 with the regular election. Except as otherwise provided by general  
 22 statute, the provisions of the general statutes pertaining to elections  
 23 and primaries shall apply to special municipal elections. No such  
 24 election may be held unless the municipal clerk first files notice of the  
 25 office or offices to be filled at such election with the town chairman of  
 26 the town committee of each major and minor party within the  
 27 municipality and with the Secretary of the State at least three weeks in  
 28 advance of the final time specified for the selection of party-endorsed  
 29 candidates for municipal office in section 9-391. The municipal clerk  
 30 shall forthwith warn such election in the same manner as the warning  
 31 of municipal elections pursuant to section 9-226.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	9-164(b)
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**GAE**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Potential Savings	See Below	See Below

**Explanation**

The bill, which allows municipalities to combine special elections with regular elections in certain circumstances, is anticipated to result in a potential savings for municipalities. To the extent that a municipality must hold a special election, and that election meets the criteria enumerated in the bill, the municipality would realize savings by combining that special election with a regular election. The level of savings that a municipality would realize is dependent upon that municipality's size and specific operational arrangements. Smaller towns have held recent special elections costing less than \$15,000 while cities with populations exceeding 100,000 can incur costs of approximately \$100,000 for a special election.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future only to the extent that it becomes necessary to hold a special election.

**OLR Bill Analysis****HB 5289*****AN ACT CONCERNING THE TIMING OF CERTAIN SPECIAL MUNICIPAL ELECTIONS.*****SUMMARY:**

By law, a special municipal election held to fill a vacancy or a newly-created office may be convened by the board of selectman or upon application of 20 electors. In the latter case, this bill creates an exception to the election calendar. Specifically, it authorizes the secretary of the state to combine the special election with a regular municipal election when the special election would fall 30 days or less before the regular election. The bill thus extends, from 150 to 180 days, the maximum length of the election calendar in these cases.

The bill does not otherwise affect special municipal election calendar requirements (e.g., time for party endorsements and a primary).

EFFECTIVE DATE: Upon passage

**BACKGROUND****COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 0 (04/05/2013)